

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

MICHAEL BEHAYLO,

Plaintiff,

vs.

THE TOP-FLITE GOLF COMPANY,

Defendant.

CIVIL ACTION NO. 05-30178-MAP

RULE 7.3 CERTIFICATE

NOW COMES Defendant, The Top-Flite Golf Company, and pursuant to Local Rule 7.3, hereby files this statement indicating that no publicly held company owns 10% or more of the stock of the corporate Defendant other than Callaway Golf Company, which wholly owns Defendant.

Respectfully submitted,

/s/ Jay M. Presser, Esq.

Jay M. Presser, Esq.

BBO No. 405760

Counsel for Defendant

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Dated: August 5, 2005

CERTIFICATE OF SERVICE

I hereby certify that a true and accurate copy of the foregoing *Rule 7.3 Certificate* was served upon the attorney of record for each other party electronically and by first-class, U.S. mail, postage prepaid, on August 5, 2005.

/s/ Jay M. Presser, Esq.

Jay M. Presser, Esq.